

**ORDINANCE NO. 12-279**

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE  
CITY OF HUNTSVILLE, ALABAMA

---

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, as follows:

WHEREAS, the City Council for the City of Huntsville, Alabama, approved the rezoning of land on Indian Creek Road (now Providence Main Street) for Providence Planned Development from Residence 1-A, Residence 2, Residence 2-A, and Neighborhood Business C-1 districts and unzoned land to Planned Development-Housing District, LUI Rating 56, on the 14th of November 2002, by Ordinance 02-784; and

WHEREAS, Ordinance No. 02-784 included approval of the contents, conditions, waivers, and modifications as set out in the *Report to the City Council on Providence PD-H Rezoning Request*, the *Providence Code Book*, the list of *Non-residential Uses Permitted in Transect 5 and Transect 6*, the Transect Plan, the Open Space Plan, the Boundary and Topographic Survey Plat, the General Development Plan, and the Phasing Plan; and

WHEREAS, the City Council for the City of Huntsville, Alabama, approved amendments to Ordinance No. 02-784 on the 25th of September 2003, by Ordinance No. 03-678 and on the 12th of October 2006, by Ordinance No. 06-786 and on the 24th of May 2007, by Ordinance No. 07-317 and on the 20th of December 2007, by Ordinance No. 07-1115 and on the 28th of August 2008, by Ordinance No. 08-699, and on the 18th of November 2010, by Ordinance No. 10-777 and on the 15th of December 2011 by Ordinance No. 11-844; and

WHEREAS, the owners of Providence Planned Development desire to make certain changes in the General Development Plan to amend the approved Transect Plan, Open Space Plan, Development Plan and Phasing Plan for Providence Planned Development, LUI Rating 56, to include a relayout of the approved Providence Planned Development resulting in an overall increase in the amount of property located within Transect 4 and an overall decrease in the amount of property located within Transect 3 and Transect 5 as follows:

Amend the layout in the area of Transect 5(B) and Transect 4(A) to decrease the amount of property allocated to Transect 5(B) and to reallocate that property to Transect 4(A).

Amend the layout in the area of Transect 3(B) and Transect 4(A) to decrease the amount of property

allocated to Transect 3(B) and to reallocate that property to Transect 4(A).

Amend the layout in the area of Transect 1(B), Transect 1(C) and Transect 4(A) to reallocate a portion of that property in Transect 1(C) to Transect 4(A) and to reallocate the remaining Transect 1(C) to Transect 1(B).

Amend the layout in the area of Transect 3(C) and Transect 4(A) to reallocate that property in Transect 3(C) to Transect 4(A).

Amend the layout in the area of Transect 3(D) and Transect 4(A) to reallocate a portion of that property in Transect 3(D) to Transect 4(A) and to reallocate the remaining Transect 3(D) to the newly created Transect 1(J).

Amend the layout in the area of Transect 1(A) and Transect 4(A) to decrease the amount of property allocated to Transect 1(A) and to reallocate that property to Transect 4(A).

NOW, THEREFORE, BE IT ORDAINED, by the City Council for the City of Huntsville, Alabama, that the General Development Plan, the Transect Plan, the Open Space Plan, the Phasing Plan, the *Report to the City Council on Providence PD-H Rezoning Request* and the *Providence Code Book* as approved by Ordinance No. 02-784 and amended by Ordinance No. 03-678, Ordinance No. 06-786, Ordinance No. 07-317, Ordinance No. 07-1115, Ordinance No. 08-699, Ordinance No. 10-777, and Ordinance No. 11-844; are hereby amended to incorporate the changes hereof, all of which are on file in the offices of the Huntsville Planning Division.

This ordinance shall take effect from and after the date of its publication.

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama.

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama